

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF	:	
	:	
	:	ADMINISTRATIVE INJUNCTION
BOBBIE STUDZINSKI,	:	
RESPONDENT.	:	
	:	ORDER 0008786

Division of Legal Services and Compliance Case No. 22 UNL 027

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Bobbie Studzinski
Waupaca, WI 54981

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Bobbie Studzinski (Year of Birth: 1963) is not and never has been licensed as a marriage and family therapist in the state of Wisconsin.
2. Respondent is not and has never been licensed as a clinical social worker in the state of Wisconsin.
3. Respondent is not and never has been licensed as a professional counselor in the state of Wisconsin.

4. Since around January 1985, Respondent has owned and operated Raintree Wellness Counseling Services in Waupaca, Wisconsin. On a now deactivated website, Respondent advertised herself as a practicing psychologist since 1988 and offered multiple behavioral health services related to mental and behavioral conditions including, in part, anger management, anxiety, depression, mood and anxiety disorders, obsessive compulsive disorder, relationship issues, and substance abuse and chemical dependency.

5. From September 2018 through Summer 2021, Respondent provided marriage counseling services to Patient A. Counseling sessions were 45-60 minutes in length and Respondent charged \$75-85 per session. Respondent kept progress notes on these sessions which included details of Patient A's medication and mental health history.

6. Respondent completed and signed a Form WH-380-E (Certification of Health Care Provider for Employee's Serious Health Condition Form) for Patient A. Respondent completed the "medical facts" section and signed her name on the "Signature of Health Care Provider" line and appended "LCSW., LPC.," to her signature.

7. On August 30, 2023, Respondent pled guilty and was convicted in Waupaca County Case Number 2023CM000196 of one count of Unlicensed Practice of Psychology, a misdemeanor, contrary to Wis. Stat. § 455.02(1m)(a) and one count of Forgery-Alter Identification, a misdemeanor, contrary to Wis. Stat. § 943.38(3)(b). These charges were directly related to the conduct described in paragraph 4-6. As part of her sentence, Respondent was ordered to pay restitution of \$3,500 to Patient A.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21 and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 457.04(5), no person may practice marriage and family therapy or designate himself or herself as a marriage and family therapist or use or assume the title "marriage and family therapist," "marriage and family counselor," or any other title or designation that represents or may tend to represent the person as a marriage and family therapist unless the person is licensed as a marriage and family therapist or the person is licensed as a clinical social worker and initially became certified as an independent clinical social worker under ch. 457, 1999 stats., on or before May 31, 1995.

3. The conduct described in the Findings of Fact above constitutes the unlicensed practice of marriage and family therapy, contrary to Wis. Stat. § 457.04(5).

4. Pursuant to Wis. Stat. § 457.04(4), no person may practice clinical social work or designate himself or herself as a clinical social worker or use or assume the title "clinical social worker" or any other title or designation that represents or may tend to represent the person as a clinical social worker unless the person is licensed as a clinical social worker or unless the person

is certified as an advanced practice social worker or independent social worker and the person practices clinical social work under the supervision of a person who is licensed as a clinical social worker.

5. The conduct described in the Findings of Fact above constitutes the use of the title of "clinical social worker," contrary to Wis. Stat. § 457.04(4).

6. Pursuant to Wis. Stat. § 457.04(6), no person may practice professional counseling or designate himself or herself as a professional counselor or use or assume the title "professional counselor," "professional rehabilitation counselor," "vocational rehabilitation counselor," "rehabilitation counselor," or any other title or designation that represents or may tend to represent the person as a professional counselor unless the person is licensed as a professional counselor.

7. The conduct described in the Findings of Fact above constitutes the use of the title "professional counselor," contrary to Wis. Stat. § 457.04(6).

SPECIAL ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed as a marriage and family therapist by the Marriage and Family Therapy Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Respondent is enjoined and prohibited from the practice of marriage and family therapy in the state of Wisconsin and from referring to herself as a marriage and family therapist.

3. Unless and until Respondent is properly licensed as a clinical social worker by the Social Worker Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Respondent is enjoined and prohibited from the practice of social work in the state of Wisconsin and from referring to herself as a clinical social worker.

4. Unless and until Respondent is properly licensed as a professional counselor by the Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Respondent is enjoined and prohibited from the practice of professional counseling in the state of Wisconsin and from referring to herself as a professional counselor.

5. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation, pursuant to Wis. Stat. § 440.21(4)(a).

6. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:	<u>Aloysius Rohmeyer</u>	<u>September 20, 2023</u>
	Aloysius Rohmeyer, Chief Legal Counsel	Date
	On behalf of the Department	

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

BOBBIE STUDZINSKI,
RESPONDENT.

:
:
:
:

STIPULATION

ORDER 0008786

Division of Legal Services and Compliance Case No. 22 UNL 027 (SOC)

Respondent Bobbie Studzinski and the Division of Legal Services and Compliance (Division), Department of Safety and Professional Services (Department), stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Bradley J. Priebe.

4. Respondent agrees to the adoption of the attached Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Administrative Injunction, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division for further proceedings. In the event that the Stipulation is not accepted by the

Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney for the Department may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation; the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Department adopt this Stipulation, the Department's Administrative Injunction will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.

Bobbie Studzinski
Bobbie Studzinski, Respondent
Waupaca, WI 54981

9.11.2023
Date

3H
Bradley J. Priebe, Attorney for Respondent
Priebe Law Office, LLC
4321 W. College Avenue, Suite 200
Appleton, WI 54914

9.11.23
Date

Nicholas Dalla Santa
Nicholas Dalla Santa, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

9/13/2023
Date